

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF MISSOURI

IN RE:]	
]	
JEROMY C. KEITH and]	Case No. 21-40547-13-drd
KASSEY M. KEITH,]	
]	
Debtors.]	

AGREED ORDER DENYING MOTION TO DISMISS

THIS MATTER comes on for consideration on United Consumers Credit Union's (the Credit Union) Motion to Dismiss (Doc. No. 117) alleging Debtors' failure to make periodic payments as a default under their confirmed Chapter 13 Plan (Doc. 34, Part 3.1, as amended, Doc. No. 92).

This matter was set for hearing on January 23, 2023, and the Credit Union and Debtors advised the court they have resolved their dispute by entering into this Agreed Order.

IT IS HEREBY ORDERED that the Motion to Dismiss is denied.

IT IS FURTHER ORDERED that the Credit Union may file a claim for missed payments from June 2022 through January 2023, including principal, interest, late fees and attorney fees. Said claim shall be deemed timely filed to be paid by the Chapter 13 Trustee as a mortgage arrearage. Debtors are to resume their ongoing periodic payments beginning February 15, 2023, as provided in their Chapter 13 Plan.

IT IS FURTHER ORDERED that, in the event the Debtors are late in making ongoing periodic payments ten (10) or more days, the Credit Union may send the Debtors, at their last known address, written notice of the delinquency and that they have fourteen (14) days to make the payment. A copy of the written notice shall also be supplied to Debtors' attorney. If the delinquency is not cured in that period, the Credit Union shall file an affidavit alleging the

delinquency, attaching a copy of the notice to cure and that Debtors have failed to cure. Upon
filing of the affidavit the Court shall dismiss this case.

1/13/2023
Date

/s/ Dennis R. Dow
U.S. Bankruptcy Judge

Order approved by:

/s/ Leslie K. Rosenfeld
L.K. Rosenfeld, 33238
Attorney for United Consumers Credit Union

/s/ Ryan A. Blay
Ryan A. Blay, ks-001066
Attorney for Debtor